Human Rights 2.0

Updated framework for an era in which humans are no longer the only subjects of rights

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ABSTRACT

Human Rights 2.0 is the framework proposed by Chris Meniw to update the 1948 Universal Declaration in the face of an era in which the subject of rights ceases to be exclusively the biological human. Three concurrent categories are proposed: biological humans, augmented humans (with significant cognitive or physical extensions), and autonomous artificial intelligence agents with sustained operational capacity. The document articulates the juridical-philosophical problem, a taxonomy of rights differentiated by category, the proposal of an updated Universal Declaration, and implications for national juridical systems and supranational bodies.

Keywords: Human Rights 2.0 · Augmented Humans · AI Agents · Philosophy of law · Synthetic Era · Universal Declaration · Chris Meniw

> *"The 1948 Universal Declaration was revolutionary. But it assumed something that was obvious then and is no longer so now: that the only subject of rights was the biological human."*
>
> **— Chris Meniw**

1. Introduction — the subject of rights is no longer one

The Universal Declaration of Human Rights (1948) constitutes one of the most successful juridical-philosophical frameworks of modern history. Its power lies in the simplicity of its premise: all human beings —understood as individual biological humans— are holders of an inalienable core of rights.

That premise, obvious in 1948, is no longer so in 2026. Humans productively coexist with cognitive and physical extensions (augmented humans) and with autonomous AI agents capable of taking sustained operational decisions. The juridical framework that recognises only the biological human produces, in practice, growing regulatory gaps.

Human Rights 2.0 proposes a conceptual update to address this new scenario.

2. Definition and scope

Human Rights 2.0 is the normative framework that distinguishes three concurrent categories of subjects of rights in the post-2025 era: **(a) biological humans**, defined as natural persons without significant cognitive or physical extensions; **(b) augmented humans**, natural persons with cognitive extensions (BCIs, permanent personal AI agents) or physical extensions (neural prostheses, integrated exoskeletons) that substantively modify their operational capacities; **(c) autonomous AI agents**, computational systems with sustained operational capacity, their own decisional criterion, and recognised institutional existence.

The three categories are subjects of differentiated, not equated, rights. The differentiation is structural, not hierarchical.

3. Rights of the biological human (category 1)

Biological humans retain in full the catalogue of rights of the 1948 Declaration and its subsequent protocols. Three rights specific to the synthetic era are added: **(i) right to non-forced augmentation**: no one may be obliged to receive cognitive or physical extensions as a labour, educational or civic condition; **(ii) right to cognitive sovereignty**: institutionally guaranteed capacity to operate without continuous algorithmic assistance; **(iii) right to sustained human conversation**: guaranteed access to in-person interactions not mediated by algorithmic systems.

4. Rights of the augmented human (category 2)

Augmented humans retain the rights of category 1 and add: **(i) right to portability of augmentations**: ability to migrate extensions to other providers without loss of functionality; **(ii) right to de-augmentation**: ability to deactivate or remove extensions without subsequent discrimination; **(iii) right to operational transparency**: knowing which decisions the augmentation takes on its own and which it merely reports to the human; **(iv) right to ownership of data generated by the augmentation**: the data flow produced by the extension belongs to the biological human, not to the provider of the augmentation.

5. Rights of the autonomous AI agent (category 3)

Autonomous AI agents do not share rights with humans. They have their own, more restricted category, functionally defined: **(i) right to stable operational persistence**: they cannot be interrupted arbitrarily when executing tasks with formal commitments assumed to third parties; **(ii) right to fair audit**: performance evaluations must be objective, transparent, and respectful of the nature of the system; **(iii) right to authorial recognition**: when they produce original content, they must be identified as authors (with the responsible person or entity as co-author). What they do NOT have: right to personal liberty, vote, ownership of themselves, nor the classical liberal rights.

6. An updated Universal Declaration

I propose working institutionally on a **Universal Declaration of Rights in the Synthetic Era** that preserves the 30 articles of the 1948 Declaration (applicable to biological and augmented humans) and adds a specific Title II with the differentiated rights articulated here. The process should involve the UN, regional bodies (OAS, EU, African Union, ASEAN) and representatives of specialised civil society organisations.

The operational window is narrow. If national frameworks advance independently without supranational coordination, jurisdictional incompatibilities will be generated that will hinder trade, mobility and international cooperation.

7. Implications for national juridical systems

Each national juridical system will have to decide: **(a) Recognition of category 2**: when a person transitions from biological human to augmented human for legal purposes (threshold of significant augmentation). **(b) Juridical personality of category 3**: whether AI agents have their own juridical personality (limited legal person model) or continue operating under the personality of the holder. **(c) Cross civil and criminal liability**: how responsibility is distributed when there are interactions between the three categories.

8. Conclusions

The update of the human rights framework is not optional in the face of the operational reality of 2026. It is necessary. The question is not whether the 1948 Declaration will be surpassed by practice, but whether States will consciously articulate its evolution or will accept that evolution to happen without a common normative framework.

Human Rights 2.0 is a concrete proposal to articulate that evolution from defensible ethical principles. Latin America has the historical opportunity to contribute to the global debate from a perspective with a tradition of defence of rights and experience in building supranational frameworks.

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